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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TENEIKA TILLIS, individually, and
on behalf of all others similarly
situated,

Plaintiff,

v.

FIDELITY NATIONAL
FINANCIAL, INC.; AND
LOANCARE, LLC,

Defendants.

Case No. 5:23-cv-02537-JGB-SHK

CLASS ACTION

**PLAINTIFF'S NOTICE OF
RELATED CASE PURSUANT TO
LOCAL RULE 83-1.3**

Dist. Judge: Jesus G. Bernal
Courtroom: 1, Riverside
Mag. Judge: Shashi H.
Kewalramani
Courtroom: 3 or 4, 3rd Fl,
Riverside

Complaint Filed: December 12, 2023
Trial Date: Not Set

JURY TRIAL DEMANDED

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
RECORD:**

Pursuant to Rule 83-1-3 of the Local Rules of the United States District Court for the Central District of California, Plaintiff Teneika Tillis ("Plaintiff") hereby files this Notice of Related Cases.

This action was filed on December 12, 2023, and is related to *Jose Peralta, Jr. v. Fidelity National Financial, Inc., LoanCare, LLC, and Does 1-10*, No. 2:23-cv-10907-MEMF-JC, filed December 30, 2023, because both matters "arise from the same or a closely related transaction, happening, or event" and "call for determination of the same or substantially related or similar questions of law and fact." *See* L.R. 83-1.3.2.

Peralta is a related case because it arises from the same November 29, 2023 cybersecurity incident and data breach experienced by Fidelity National Financial and its subsidiary LoanCare ("Defendants"). Both *Tillis* and *Peralta* name Fidelity National Financial, Inc. and LoanCare, LLC as Defendants.¹ In both cases Defendants are represented by the same counsel at Sidley Austin, LLP.

Both are brought as class actions and the gravamen of both cases is that Defendants failed to implement and maintain reasonable and adequate security procedures and practices to safeguard the personally identifiable information ("PII") of plaintiff and the classes they seek to represent.

Plaintiffs in both cases seek to represent a nationwide class of all individuals whose PII was impacted or otherwise compromised by the November 2023 data breach, as well as a California subclass of all California residents whose PII was impacted or otherwise compromised by the November 2023 data breach.

¹ In *Peralta* defendants executed a waiver of service of summons on January 17, 2024. Plaintiff in this action served defendant Fidelity National Financial Inc. on January 10, 2024, and defendant LoanCare, LLC on January 12, 2024.

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Both cases call for determination of the same or substantially related or similar questions of law and fact. Plaintiffs in both cases allege Defendants failed to implement adequate and/or reasonable data security measures that they knew or should have known were necessary to protect against a data breach, and their failure to do so resulted in the breach of plaintiffs' and the putative class members' personal and sensitive PII.

Both cases allege violations of California privacy, consumer, and common laws including the California Consumer Privacy Act, Cal. Civ. Code §§ 1798.100, *et. seq.*; California Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200, *et seq.*; negligence; negligence *per se*; breach of implied contract; and declaratory judgment. *Tillis* also alleges a claim for breach of contract, breach of fiduciary duty, and unjust enrichment. *Peralta* brings additional claims for violation of the California Customer Records Act, Cal. Civ. Code §§ 1798.80 *et seq.*; common law invasion of privacy; violation of Article 1, section 1 of the California Constitution; and for breach of the implied covenant of good faith and fair dealing.

Designation of *Peralta* as related to *Tillis* will serve the purposes of the applicable local rule because assignment of these actions to a single judge will conserve judicial resources, avoid the potential for inconsistent rulings, and result in other economies given the overlapping defendants and similar allegations of their behavior, such that both cases are likely to rely on the same evidence. If the actions were to proceed before different judges a substantial and unnecessary duplication of judicial effort, among other inefficiencies, likely would result.

Respectfully submitted,

Dated: January 29, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 29, 2024.

s/ Timothy G. Blood

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